IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Civil Writ Petition No. 5859 of 2001 (M/S)
(Old No. 26192 of 1997)

U.P. State Electricity Board
and another …….. Petitioners

Versus

Presiding Officer, Labour Court
and another …… Respondents

Mr. Ranjeet Saxena, learned counsel for the petitioners.
Mr. Gopal Narain, learned counsel for the respondent No. 2.

Hon. P.C. Verma, A.C.J.

This writ petition is directed against the award made by the Labour Court rejecting the application of the petitioner on the ground that the restoration application was time barred and hence is not maintainable as the Labour Court had become functus officio.

The award off the Labour Court does not suffer from any illegality. This Court has already held in State of U.P. Vs Presiding Officer, Labour Court, Dehradun and another reported in 2002 (1) E.L.C. 314 (HC) that after the expiry off the limitation period the Labour Court has rightly rejected the application of the petitioner.

The controversy raised above is squarely covered by the decision of this Court in the case of State of U.P. Vs Presiding Officer, Labour Court, Dehradun and another (Supra). Therefore, the petition is devoid off merit and is hereby dismissed.

(P.C. Verma, A.C.J.)

Dt. 29.04.2004
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